



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/773,769

02/06/2004

Masanori Hashimoto

FUJY 20.954

5602

26304 7590 06/26/2007
KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

CHO, HONG SOL

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

06/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/773,769

Applicant(s)

HASHIMOTO, MASANORI

Examiner

Hong Cho

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5,7-10 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☒ Claim(s) 1,6,12-16,21 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The specification is objected to because it contains embedded hyperlinks on page 23-26. Applicant is required to delete the embedded hyperlink. See MPEP § 608.01.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claims 1, 6, 16, 21 and 22 are objected to because of the following informalities:
Re claims 1, 6, 16, 21 and 22 “station” should read - - station node - - or - - station node - - wherever appropriate.
Re claim 1, line 16, “the node” should read - - the other station node - - .
Re claim 1, line 16, “the MAC frame” should read - - the RPR MAC frame - - .

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over “802.17 Frame Structure and Bridging Ad-Hoc Support” by Marc Holness et al, hereinafter referred to as Holness, in view of Christensen et al (US 5349583), hereinafter referred to as Chrsitensent.

Re claim 11, Holness implicitly discloses nodes (*a station node*) located in the outside of the ringlets transmitting and receiving 802.3 frame (*MAC frame*) from each other and nodes S2, S4 and S5 (*bridge nodes*) comprising a ring network (slide 11) (*a station node connected, together with a plurality of bridge nodes forwarding a media access control (MAC) frame, to one or more ringlets constructing a resilient packet ring (RPR) network*). Holness discloses nodes S2, S4 and S5 transmitting a RPR frame, into which the MAC frame is encapsulated, with a MAC destination address set for an end station MAC address (*transmits a RPR MAC frame into which the MAC frame is encapsulated in such a state that the bridge node can capture the RPR MAC frame to a station accommodated to a bridge node, where a MAC address of the other station node is set for a destination MAC address*, slides 12 and 13), but fails to disclose a station node transmitting a RPR MAC frame. Christensen discloses a workstation encapsulating a frame with a header and trailer (column 6, lines 51-53). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the node of Holness by adding to it the feature of encapsulation as suggested by Chrsitensen so

that a bridge node would just pass a frame without performing encapsulation on the received frame for the benefit of increasing processing speed for a given frame.

Allowable Subject Matter

6. Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 1-10 and 16-22 are allowable.

The following is an examiner's statement for reasons for allowance.

8. Claims 1, 6, 16, 21 and 22 are allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest a bridge node connected, together with a plurality of station nodes terminating media access control (MAC) frames, to one or more ringlets constructing a resilient packet ring (RPR) network, wherein the bridge node, in the case of receiving the MAC frame transmitted from a station being located in the outside of the ringlets and in which a MAC address of other station located in the outside of the ringlets and accommodated to other bridge node connected to the ringlets is set for a destination MAC address, transmits a RPR MAC frame into which the MAC frame is encapsulated in such a state that the other bridge node can capture the RPR MAC frame, and the bridge node, in the case of receiving a MAC frame in which a MAC address of a station node is set for a destination

MAC address from the station, converts the MAC frame into a RPR MAC frame and transmits the RPR MAC frame.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
6/19/07